

State and local jurisdictions continue to pass new employment laws at a steady clip. Here, we update you on developments since our June 2024 State Law Roundup.

As always, please reach out to one of the authors or your SPB contact for more information or for assistance with compliance.

Alaska

- **Oral fluid drug tests permissible** – Previously, employers were permitted to collect and test an employee’s or prospective employee’s urine or breath for any job-related purpose consistent with business necessity and the employer’s policy. Effective October 30, 2024, a new [law](#) permits oral fluid testing as well.
- **Paid sick leave** – On November 5, 2024, Alaska voters passed [Alaska Ballot Measure No 1](#), creating a new state sick leave law. Beginning July 1, 2025, eligible employees in Alaska will accrue one hour of paid sick leave for every 30 hours worked. Employers with less than 15 employees may cap annual accrual and use at 40 hours, and employers with 15 or more employees may cap annual accrual and use at 56 hours. Employees may carryover accrued, unused sick leave to the next year. Employers must provide notice to employees about the new paid sick leave law by July 31, 2025.

California

- Please see our blog post covering California developments [here](#).

Colorado

- **Protection for organ donors** – As of June 3, 2024, Colorado employers are prohibited from discriminating or retaliating against employees who are or become organ donors under this new [law](#), for the period extending 30 days before and 90 days after the employee is or becomes a living organ donor.
- **Hair length discrimination barred** – Effective June 3, 2024, Colorado’s [CROWN Act](#) was amended to prohibit discrimination based on hair length.
- **Collection of biometric data by employers restricted** – Beginning July 1, 2025, the [Colorado Privacy Act](#) will require employers to obtain consent from employees or prospective employees before collecting and processing their biometric data. Employers may require consent as a condition of employment to: permit access to secure physical locations and secure electronic hardware and software applications; record the beginning and end of an employer’s full work day, including meal breaks and rest breaks in excess of thirty minutes; for workplace safety reasons; based on an employee’s job description; and based on a prospective employee’s reasonable background check, application, or identification requirements.

- **Age-related inquiries on job applications prohibited** – Effective July 1, 2024, employers are prohibited from including age-related inquiries on initial job applications, including age, date of birth, and dates of attendance or dates of graduation from an educational institution under the [Job Application Fairness Act](#). An employer may however require certifications and transcripts at the time of the initial application, so long as the employer notifies the individual that they may redact the above identifying information. Employers also may require candidates to verify compliance with bona fide occupational qualifications relating to public or occupational safety and federal or state laws or regulations, provided they do not require disclosure of the specific age, date of birth, or the other information noted above.

Connecticut

- **Family and medical leave requirements revised** – Effective October 1, 2024, each employer making wage payments to an employee is required to register with and submit reports required by the Family and Medical Leave Insurance Authority Board in a form and manner prescribed by the authority. Employers are subject to penalties for noncompliance.
- **Family Violence Leave expansion** – Effective October 1, 2024, Connecticut’s family violence leave law is expanded to require employers to allow employees to take paid or unpaid leave for “sexual assault” related reasons (in addition to existing family violence related reasons).

District of Columbia

- **Voting leave** – As of May 10, 2024, this new [law](#) requires employers to provide an employee, upon request, at least two hours of paid leave to vote in an election in which the employee is eligible to vote. Employers may require advance reasonable notice (seven days if there is no policy) and may specify the hours during which the employee may take leave to vote.

Illinois

- **Retaliation against whistleblowers prohibited** – Beginning January 1, 2025, a new [law](#) prohibits employers from taking retaliatory action against an employee who discloses or threatens to disclose to a public body conducting an investigation, or in a court, administrative hearing, or other proceeding of a public body information related to an activity, policy, or practice of the employer where the employee has a good faith belief that such activity, policy, or practice violates a law, rule, or regulation or poses a substantial and specific danger to employees, public health, or safety.

- **Employees protected from AI discrimination** – Effective January 1, 2026, the [Illinois Human Rights Act](#) will prohibit employers from using artificial intelligence (AI) that has the effect of discriminating against employees based on protected classes or uses zip codes as a proxy for protected classes in recruitment, hiring, promotion, discharge, discipline, and other employment decisions. Employers will also be required to notify employees that they are using AI to make employment decisions.
- **Pay stub access and retention requirements** – Effective January 1, 2025, a new [law](#) requires employers to maintain a copy of an employee's or former employee's pay stubs for at least three (3) years, and to provide the pay stubs to employees or former employees upon request. Employers may require the request to be in writing. Violations can result in civil penalties of up to \$500 per violation.
- **Discrimination based on family responsibilities prohibited** – As of January 1, 2025, a new [law](#) prohibits employers from discriminating against an employee or applicant on the basis of family responsibilities, which is defined as an employee's actual or perceived provision of personal care to a family member.
- **Reproductive health decision discrimination prohibited** – Effective January 1, 2025, [amendments](#) to the Illinois Human Rights Act prohibit unlawful discrimination based on reproductive health decisions. The Act defines "reproductive health decisions" as any decision by a person affecting the use or intended use of health care, goods, or services related to reproductive processes, functions, and systems.
- **Employee's right to view employment records expanded** – As of January 1, 2025, an employee's legal right to inspect and copy their employment records is expanded to include employment-related contracts, employee handbooks, and any written employer policies related to the employee's employment. The [law](#) also limits fees that employers can charge employees to the actual cost of duplication. Employees must identify what personnel records they are requesting or whether they are requesting all records to which they are entitled and who will be performing the inspection or receiving copies of the records. If requested records include medical information, the employee must include a signed waiver to release medical information or records to an employee's specific representative along with the employee's request.
- **Chicago, Illinois – Paid leave and paid sick leave rules finalized** – As we previously reported [here](#), as of July 1, 2024, eligible employees working in Chicago are eligible to accrue paid leave (PL) and paid sick leave (PSL). Recently passed [final rules](#) include additional information regarding PL and PSL. See our previous post for details.
- **Space Force included in armed forces definition** – Effective January 1, 2025, a new [law](#) adds the US Space Force to the definitions of "armed forces," "uniformed services," and "military service" across numerous statutes. Employers should include the US Space Force in their military leave and related policies.

Louisiana

- **Prohibition of nondisclosure clauses signed before harassment disputes** – As of August 1, 2024, the [law](#) provides that certain nondisclosure clauses required by an employer and agreed to before a hostile work environment dispute or sexual harassment dispute are unenforceable. "Nondisclosure clause" under the law means an agreement between an employer and employee that prevents, or has the effect of preventing, an employee from disclosing or discussing a hostile work environment, allegations of a hostile work environment, sexual harassment, or allegations of sexual harassment. Employees are permitted to enter into a confidential settlement agreement after a report is filed or a dispute has occurred.

Maryland

- **Wage discrimination based on sexual orientation prohibited** – Effective October 1, 2024, Maryland's [Equal Pay for Equal Work Law](#) prohibits employers from providing less favorable employment opportunities, assignments, promotions, and pay based on an employee's sexual orientation. "Providing less favorable employment opportunities" is defined as: (1) assigning or directing the employee into a less favorable career track or position; (2) failing to provide information about promotions or advancement in the full range of career tracks offered by the employer; or (3) limiting or depriving an employee of employment opportunities that would otherwise be available to the employee but for the employee's sex, sexual orientation, or gender identity.
- **Prohibition of discrimination based on military status** – Effective October 1, 2024, Maryland has expanded its [fair employment practices law](#) to prohibit discrimination based on military status, which includes members of the uniformed services, reservists, and their dependents.
- **Family-leave insurance program postponed** – As we previously reported [here](#), the start of Maryland's family-leave insurance program has been postponed until July 1, 2025. Employers are required to begin making contributions at that time. The initial contribution amount will be determined by February 1, 2025, and benefits will begin July 1, 2026.
- **Montgomery County** – Employers prohibited from inquiring about sexual or reproductive health information – As of July 17, 2024, employers are prohibited from requesting or considering a job applicant's health care information and sexual or reproductive health information. Under this [law](#), sexual and reproductive health information means health care information related to any aspect of reproductive health, including abortion care, miscarriage, contraception, sterilization, pregnancy, sexually transmitted disease, fertility treatment, gender-affirming care, and family planning.

Massachusetts

- **Salary transparency** – Effective October 29, 2025, Massachusetts’s [Workplace Equity Act](#) will require employers with 25 or more employees within Massachusetts to disclose the pay range in any job advertisement or posting, as well as for current employees offered a promotion or transfer to a new position. Pay range means the annual salary range or hourly wage range the employer reasonably expects to pay. Additionally, employers subject to federal EEO disclosures with 100 or more employees within Massachusetts must also provide a copy of the EEO form to the Massachusetts Office of Labor and Workforce Development.

Michigan

- **Paid sick leave expanded** – Michigan’s Earned Sick Time Act, as originally passed by ballot measure in 2018, will be reinstated, effective February 21, 2025, replacing the current Paid Medical Leave Act, which was designed by legislators. Beginning February 21, 2025, employees accrue one hour of paid sick leave for every 30 hours worked, with no accrual cap; however, employers are not required to permit an employee to use more than 72 hours of paid sick leave in a year. Employers with less than 10 employees may limit use to 40 hours of paid sick leave and an additional 32 hours of unpaid sick leave per year. Employers must also post this [notice](#) for employees with the law’s requirements.

Minnesota

- **Jury duty leave** – As of July 1, 2024, the [law](#) requires employers to release an employee from the employee’s regular work schedule, including any shift work, to permit the employee to attend court for prospective jury duty. Additionally, employers are prohibited from requiring employees to work an alternative shift on any day the juror must report for jury service. Employees are permitted however, to voluntarily request to work an alternative work schedule on any day the employee must report for jury service.
- **Definition of “familial status” revised** – As of August 1, 2024, [Minnesota’s Human Rights Act](#) expanded the definition of “familial status” from caring for minors to also include adults in certain circumstances. The definition of “familial status” is revised to include residing with and caring for one or more individuals who lack the ability to meet essential requirements for physical health, safety, or self-care because the individual or individuals are unable to receive and evaluate information or communicate decisions.

Missouri

- **Expunged criminal records** – Effective January 1, 2025, [public safety amendments](#) permit applicants to answer “no” to an employer’s inquiry as to whether the individual has ever been arrested, charged, or convicted of a crime if the individual’s crime has been expunged from their record.

- **Paid sick leave** – On November 5, 2024, Missouri voters passed [Proposition A](#), requiring employers with 15 or more employees to provide paid sick leave. Beginning May 1, 2025, eligible employees in Missouri will accrue one hour of paid sick leave for every 30 hours worked. Employers with 15 or more employees may limit employees to using 56 hours of paid sick time each year. All other employers may limit employees to using 40 hours of paid sick time annually. Employees may carryover up to 80 hours of accrued, unused sick leave to the next year. Employers must provide notice to employees about the new paid sick leave law within 14 calendar days of commencement of employment or on April 15, 2025, whichever is later.

Nebraska

- **Paid sick leave** – On November 5, 2025, Nebraskans voted in favor of [Initiative Measure 43](#), creating a new statewide paid sick leave law. Beginning October 1, 2025, eligible employees in Nebraska will accrue one hour of paid sick leave for every 30 hours worked. Small employers (less than 20 employees) may cap an employee’s annual accrual at 40 hours and all other employers can cap annual accrual at 56 hours. Employees may begin using paid sick leave upon accrual. All accrued, unused sick leave will carryover to the next year. Employers must provide notice to employees of the new law by September 15, 2025.

New Hampshire

- **Discrimination based on protected hairstyles prohibited** – As of September 1, 2024, New Hampshire’s [CROWN Act](#) prohibits discrimination based on hairstyles relative to a person’s ethnicity. “Protective hairstyles” means hairstyles or hair type, including braids, locs, tight coils or curls, cornrows, Bantu knots, Afros, twists, and head wraps.
- **Weapons in the workplace** – In accordance with New Hampshire’s new [Guns at Work law](#), effective January 1, 2025, private employers that receive public funds from the federal or state government in the form of payment for contractual services, grants, or in any other form, are prohibited from restricting employees who are legally authorized to possess a firearm from storing a firearm or ammunition in the employee’s vehicle while entering or exiting the employer’s property or while the vehicle is parked on the employer’s property as long as the vehicle is locked and the firearm or ammunition is not visible.

New York

- **Clean slate law** – Effective November 16, 2024, [New York’s Clean Slate Act](#) permits automatic sealing of the misdemeanor and felony criminal records. Misdemeanors are sealed three years from the individual’s release from prison or from the imposition of sentence if there was no incarceration; felonies are sealed eight years after release from prison or from the imposition of sentence if there was no incarceration. However, these records will remain accessible for relevant and necessary purposes, including where applicable laws require or authorize a criminal background check prior to employing individuals in certain jobs. The Clean Slate Act is limited to criminal records under New York State law.

- **Paid lactation breaks** – As we previously reported [here](#), as of June 19, 2024, employers must provide paid 30-minute breaks to allow an employee to express breast milk during the workday. The state has released [guidance](#) for employers bound by this law.
- **Paid parental leave for pregnant employees** – As we also previously reported [here](#), effective January 1, 2025, employers must provide pregnant employees with 20 hours of paid leave during any 52-week period to attend prenatal physical examinations, medical procedures, monitoring, and testing or discussions with a health care provider related to an employee’s pregnancy.

Oregon

- **Family, paid leave changes** – Effective July 1, 2024, the Oregon Family Leave Act (OFLA) no longer covers family leave or serious health condition leave for an employee or their family member. Rather, leave for a serious health condition and the birth or adoption of a child is solely covered under Paid Leave Oregon (PLO). As of July 1, 2024, OFLA only provides leave in the event of a sick child, if a child’s school or childcare provider has been closed, bereavement, and pregnancy-related disability leave. While PLO will continue to run concurrently with leave under the federal Family Medical Leave Act (FMLA), employers will no longer be able to run OFLA leave concurrently with PLO.

Vermont

- **Pay transparency law** – Effective July 1, 2025, Vermont employers will be required to include the compensation or range of compensation in each job advertisement. “Range of compensation” means the good faith expectation of the minimum and maximum annual salary or hourly wage range for the position. The [law](#) applies to any position for which the employer is hiring, including positions that are open to internal or external candidates and positions into which current employees can transfer or be promoted. Any advertisement for a job opening that is paid on a commission basis, whether in whole or in part, must include a statement that because the job is partially paid on a commission basis, the employer is not able to post an expected minimum and maximum salary or wage range and any advertisement for a job paid on a tipped basis must disclose that fact and also state the base wage or range of base wages for the position. The law applies to any job posting for a position that is either physically located in Vermont or a remote position that will “predominantly perform work for an office or work location that is physically located in Vermont.”

Washington

- **Equal pay law expanded** – Effective July 1, 2025, Washington broadens the scope of its [Equal Pay and Opportunities Act](#) prohibiting pay discrimination based on membership in any protected class (rather than just sex and gender, as the law previously protected).

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